

DEPARTMENT OF MENTAL HEALTH
2007 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2006

Subject: Specialty Mental Health Services Other than Psychiatric Inpatient Hospital Services - Authorization of Out-Of-Plan Services		CCR Title & Sections Affected: Title 9, Sections 1810.207.5, 1810.220.5 and 1830.220(b)(4)(A)		Statutes Being Implemented: Section 5777.6, Welfare and Institutions Code	
Responsible Agency Unit: Medi-Cal Policy and Support	Contact Person & Phone Number: Sophie Cabrera (916) 654-6605	Projected Dates:			
		Notice: February 2007	Hearing: April 2007	Adoption: June 2007	To OAL: June 2007
<p>Report on the status of all uncompleted rulemaking described on previous calendars:</p> <p>Senate Bill (SB) 745, (Chapter 811, Statutes of 2000) added Section 5777.6 to Welfare and Institutions Code (W&IC) requiring local mental health plans to establish a procedure to ensure access to outpatient mental health services for foster children placed outside of their county of origin (adjudication).</p> <p>Foster and adopted children and youth are still experiencing difficulties in obtaining access to mental health services when placed outside of their county of origin. The California Institute for Mental Health (CIMH), in partnership with the Child and Family Policy Institute of California (CFPIC), with a grant from the Zellerbach Family Foundation led a project to address the issue of timely access to mental health care for foster care children placed outside of their county of origin.</p> <p>It was decided that the most effective method to resolve the timely access issue for foster and adopted children placed out of county was to amend Sections 1830.220(b) of the regulations to require a specified timeframe for authorizing and reimbursing for mental health services. This in effect will institute a statewide approach to mental health service for out-of-county placements. W&IC Section 5777.6(b)(1) provides the authority for implementing a state-wideness procedure without having to seek federal approval.</p>					

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Subject: Mental Health Services Act (2)		CCR Title & Sections Affected: Title 9, Division 1, Chapter 14, Section 3100 et seq.		Statutes Being Implemented: Welfare and Institutions Code Section 5840 et seq.	
Responsible Agency Unit: Systems of Care Division	Contact Person & Phone Number: Barbara Marquez (916) 654-1040	Projected Dates:			
		Notice: 2/2007	Hearing: 4/2007	Adoption: 12/29/06 Emergency	To OAL: 12/29/06
<p>Report on the status of all uncompleted rulemaking described on previous calendars:</p> <p>Title 9, Division 1, Chapter 14, Section 3100 et seq., was submitted to the Office of Administrative Law on December 29, 2006 as emergency regulations pursuant to Welfare and Institutions Code Section 5798, which authorizes the Department of Mental Health (DMH) to adopt emergency regulations necessary to implement the Mental Health Services Act. The emergency regulations identified above are in effect until permanent regulations are adopted.</p>					

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Subject: Mental Health Services Act (3) – Education and Training		CCR Title & Sections Affected: Title 9, Division 1, Chapter 14, Article 8 <i>Sections pending</i>		Statutes Being Implemented: Proposition 63 – the Mental Health Services Act Welfare and Institutions Code Section 5820	
Responsible Agency Unit: Systems of Care Division	Contact Person & Phone Number: Warren Hayes (916) 651-0461	Projected Dates:			
		Notice: 4/2007	Hearing: 6/2007	Adoption: 4/2007 Emergency	To OAL: 4/2007
<p>Report on the status of all uncompleted rulemaking described on previous calendars:</p> <p>The Department of Mental Health (DMH) elected to implement the various components of the Mental Health Services Act's Three-Year Program and Expenditure Plan on a sequential basis, DMH anticipates promulgating regulations for the Education and Training component by April 2007. DMH further anticipates submitting such regulations to the Office of Administrative Law on an emergency basis.</p>					

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SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2006

Subject: Mental Health Services Act (4) – Capital Facilities (Housing)		CCR Title & Sections Affected: Title 9, Division 1, Chapter 14, Article 7 <i>Sections pending</i>		Statutes Being Implemented: Proposition 63 – the Mental Health Services Act Welfare and Institutions Code Section 5847(a)(5)	
Responsible Agency Unit: Systems of Care Division	Contact Person & Phone Number: Jane Laciste (916) 654-3529	Projected Dates:			
		Notice: 6/2007	Hearing: 8/2007	Adoption: 6/2007 Emergency	To OAL: 6/2007
Report on the status of all uncompleted rulemaking described on previous calendars: The Department of Mental Health (DMH) elected to implement the various components of the Mental Health Services Act's Three-Year Program and Expenditure Plan on a sequential basis, DMH anticipates promulgating regulations for the Capital Facilities (Housing) component by June 2007. DMH further anticipates submitting such regulations to the Office of Administrative Law on an emergency basis.					

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SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2006

Subject: Mental Health Services Act (5) – Prevention and Early Intervention		CCR Title & Sections Affected: Title 9, Division 1, Chapter 14, Article 9 <i>Sections pending</i>		Statutes Being Implemented: Proposition 63 – the Mental Health Services Act Welfare and Institutions Code Section 5847(a)(1)	
Responsible Agency Unit: Systems of Care Division	Contact Person & Phone Number: Emily Nahat (916) 651-0679	Projected Dates:			
		Notice: 8/2007	Hearing: 10/2007	Adoption: 8/2007 Emergency	To OAL: 8/2007
Report on the status of all uncompleted rulemaking described on previous calendars: The Department of Mental Health (DMH) elected to implement the various components of the Mental Health Services Act's Three-Year Program and Expenditure Plan on a sequential basis, DMH anticipates promulgating regulations for the Prevention and Early Intervention component by August 2007. DMH further anticipates submitting such regulations to the Office of Administrative Law on an emergency basis.					

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SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2006

Subject: Mental Health Services Act (6) – Capital Facilities (Technological Needs)		CCR Title & Sections Affected: Title 9, Division 1, Chapter 14, Article 7 <i>Sections pending</i>		Statutes Being Implemented: Proposition 63 – the Mental Health Services Act Welfare and Institutions Code Section 5847(a)(5)	
Responsible Agency Unit: Systems of Care Division	Contact Person & Phone Number: Stephanie Oprendeck (916) 653-3517	Projected Dates:			
		Notice: 6/2007	Hearing: 8/2007	Adoption: 6/2007 Emergency	To OAL: 6/2007
Report on the status of all uncompleted rulemaking described on previous calendars: The Department of Mental Health (DMH) elected to implement the various components of the Mental Health Services Act's Three-Year Program and Expenditure Plan on a sequential basis, DMH anticipates promulgating regulations for the Technological Needs component by October 2007. DMH further anticipates submitting such regulations to the Office of Administrative Law on an emergency basis.					

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SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2006

Subject: Mental Health Services Act (7) – Innovative Programs		CCR Title & Sections Affected: Title 9, Division 1, Chapter 14, Article 10 <i>Sections pending</i>		Statutes Being Implemented: Proposition 63 – the Mental Health Services Act Welfare and Institutions Code Section 5847(a)(4)	
Responsible Agency Unit: Systems of Care Division	Contact Person & Phone Number: Barbara Marquez (916) 654-1040	Projected Dates:			
		Notice: 12/2007	Hearing: 2/2008	Adoption: 12/2007 Emergency	To OAL: 12/2007
Report on the status of all uncompleted rulemaking described on previous calendars: The Department of Mental Health (DMH) elected to implement the various components of the Mental Health Services Act's Three-Year Program and Expenditure Plan on a sequential basis, DMH anticipates promulgating regulations for the Innovative Programs component by December 2007. DMH further anticipates submitting such regulations to the Office of Administrative Law on an emergency basis.					